

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 1902 of 2007(B)

PETITIONER:

K.C.SANITHA, W/O. K.S.GOPI,
VILLAGE OFFICER, KUNNAMANGALAM VILLAGE,
KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS:

1. LAND REVENUE COMMISSIONER,
TRIVANDRUM.
2. DISTRICT COLLECTOR,
KOZHIKODE.
3. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, REVENUE DEPARTMENT,
TRIVANDRUM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.1902 of 2007

Dated this the 13th day of March, 2007

JUDGMENT

The petitioner is working as Village Officer. She is due to retire from service on superannuation by the end of April 2007. She claims that she is eligible to be promoted to the post of Deputy Tahsildar. The pleadings in the writ petition would show that the petitioner belongs to a scheduled caste community. Since a criminal case, based on a private complaint, was pending against her, the case of the petitioner for promotion was not considered by the respondents for sometime. Counsel for the petitioner submits that the petitioner has been acquitted of the charge.

2. Ext.P1 representation filed by the petitioner before the second respondent requesting to promote her to the post of Deputy Tahsildar was forwarded to the first respondent as seen from Ext.P3 communication. But the first respondent has not taken any decision on Ext.P1. The petitioner apprehends that unless her claim is considered immediately, she will have to retire

from service without enjoying the benefit of the promotion which according to her is overdue. It is stated that juniors of the petitioner have already been promoted.

3. Heard the Government Pleader for the respondents.

4. In the facts and circumstances, it is necessary in the interest of justice to direct the first respondent to consider the claim of the petitioner for promotion to the post of Deputy Tahsildar from the date on which her juniors have been promoted. Ordered accordingly. Ext.P1 shall be taken up for consideration and the petitioner's claim for promotion shall be dealt with in accordance with the rules and orders already issued. Decision shall be taken within three weeks from today and the same shall be communicated by the first respondent to the petitioner forthwith. The petitioner shall produce a copy of the judgment and a copy of the writ petition before the first respondent for information and compliance.

K.K.DENESAN, JUDGE

CS

W.P.(C)No. 1902/2007

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